

Summary of Gorst Creek / Bremerton Auto Wrecking Landfill Operational History and Identification of Potentially Responsible Parties

The Gorst Creek/Bremerton Auto Wrecking Site (Site) in Gorst, Washington (Site) first started accepting waste in 1969 and operated as an unpermitted local landfill until it was shut down by order of the Kitsap County Health Department in 1989. Because the landfill was not permitted or regulated, very little documentation exists describing the type and source of wastes disposed at the landfill. However, a 1998 Potentially Responsible Party (PRP) report prepared by Hart Crowser under contract with the U.S. Navy and additional research activities conducted by the Kitsap County Health Department and EPA have shed some light on waste disposal activities.

For example, available evidence indicates that the Site was first marketed as a landfill in order to win a waste disposal contract with the Puget Sound Naval Station in 1969. When the Navy selected the Site as a waste disposal location and commenced disposal activities on July 1, 1969, the landfill was unlicensed. A number of newspaper articles from the Bremerton Sun indicate that the Site was also improperly operated. The waste placed in the Gorst Creek ravine was periodically burned to accommodate greater volume. The burning of the waste created noxious fumes that led to complaints from local residents and prompted then U.S. Senator Henry Jackson to send a letter to the U.S. Navy requesting assistance to abate the nuisance. The Navy's response to Senator Jackson acknowledged that the landfill to which it was sending waste was unlicensed and went on to explain that the contract required compliance with federal state, and local laws, but the enforcement of local laws were the responsibility of local authorities. Upon completion of the one-year disposal contract, the Navy selected an alternate disposal location.

There are only a few remaining records related to the Navy's waste disposal at the Site. According to the Navy, its records related to the Site were lost in its 2006 move from Poulsbo to Bangor. However, there are still some remaining documents that describe the quantity and type of waste disposal under the contract. Specifically, the contract provided for monthly disposal quantities of 6,000 cubic yards (cy) of industrial trash, 25 cy of domestic garbage, 1,000 cy of timber, logs, and debris, 650 cy of sawdust, and 50 cy of oil and chemicals, for an annual aggregate disposal level of 93,000 cubic yards. This aggregate amount and breakdown was incorporated into the PRP search report prepared by the Navy's contractor, Hart Crowser, which presumably had access to the files that were subsequently lost during the move.

In addition to researching the Navy's involvement at the Site, the EPA conducted a broader search for PRPs. A factual summary of these efforts is provided below.

Vern Padgett – Mr. Padgett purchased the Site at a 2001 tax sale and subsequently sold the property to William Niles in 2002.

William Niles and ST Trust (ST Trust) – the ST Trust is the current owner of the Site. William Niles acquired from Mr. Padgett in 2002 and transferred ownership of the Site to the ST Trust, a family trust established for the benefit of providing educational expenses for Mr. Niles two grandchildren (b) (6) (ST). Mr. Niles purportedly intended to develop the property for investment purposes but has not conducted any activity at the Site since it was acquired in 2002. The ST Trust contains no assets other than the Site and has not paid property taxes on the

Site since 2005. Mr. Niles attorney has informed EPA that the ST Trust intends to let the property go into tax foreclosure. Kitsap County has indicated that it may not foreclose on the property.

Mel Marler and Ames Auto Wrecking – Mr. Marler owned and operated the Site from 1950 to 1972 as Ames Auto Wrecking. Mr. Marler built the landfill in the ravine, first operated the Site as a landfill, and entered into a waste disposal contract with the U.S. Navy. Mr. Marler was a director and primary shareholder of Ames Auto Wrecking, Inc. which was the business that operated on the Site during Mr. Marler's period of ownership. Mr. Marler died in 1977 and Ames Auto Wrecking was dissolved as a corporation before Mr. Marler's death and has no known corporate successor.

Earl King and Bremerton Auto Wrecking – Mr. King purchased the Site from Mr. Marler in 1973 and retained ownership of the property until 1992. Mr. King was a primary shareholder and director of Bremerton Auto Wrecking, Inc. which operated an auto wrecking and salvage business at the Site. Mr. King continued to own and operate the landfill until approximately 1981 when the Site was severed and the landfill was sold to Sid and Lucille Uhnick. Under the real estate contract Mr. King retained legal ownership of the Landfill until the Uhnicks completed the purchase in 1992. Bremerton Auto Wrecking dissolved in 1985 and has no known corporate successor. (b) (6). EPA's asset search revealed that Mr. King owns limited property and subsists on a fixed income.

Sid and Lucille Uhnick – the Uhnicks operated the landfill from approximately 1981 until it was shutdown but the Kitsap County Health Department in 1989. In 1992, the Uhnicks completed the purchase and obtained legal ownership of the Site from Mr. King. Mr. Uhnick died in 1987. Following the closure of the landfill and Mr. Uhnicks death, Mrs. Uhnick was unable to maintain property tax payments. As a result the Site went through tax foreclosure and was sold by the County in 2001.

Waste Management Washington (Brem-Air Disposal) – documents obtained from the U.S. Navy indicated that Brem Air Disposal may have transported waste to the Site. EPA determined that Waste Management of Washington is the corporate successor to Brem-Air Disposal. EPA obtained documents from Waste Management establishing that the company did have a contract to dispose of waste at the Site as a secondary location in the event other primary disposal locations were unable to accept waste. However, the contract required additional monthly payments based on the volume of waste disposed at the Site and it is clear from the company's ledger that no additional payments were made indicating that it never disposed of waste at the Site.

U.S. Navy Puget Sound Shipyard (aka Bremerton Shipyard) – The U.S. Navy entered into a one-year contract to disposed of waste at the Site starting on July 1, 1969. Contractor disposal records, handwritten estimates, newspaper articles, and a summary compiled by the Navy's contractor indicate that a significant amount of waste was disposed under the contract (approximately 93,000 cubic yards, with the total landfill containing an estimated 150,000 cubic yards of waste). The contract specification describes the type of waste disposed as industrial trash, contaminated garbage, timber and logs, oil, tar, chemicals, and sawdust. The Navy

acknowledges that it shipped waste to the Site and in the late 1990s was in discussions with Washington Department of Ecology to complete a response action to address the Site. However, the Navy withdrew from the removal work and has not been involved in continuing efforts to address the Site.